

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ASHLEY MICHON,)	
)	
Plaintiff,)	
)	
)	CASE NO. 3:13-0189
vs.)	JUDGE NIXON/KNOWLES
)	
)	JURY DEMANDED
)	
WESTERN EXPRESS, INC.,)	
)	
Defendant.)	

ORDER

This matter is before the Court upon two Motions to Strike filed by Plaintiff. Docket Nos. 48, 54. The first Motion seeks to strike from the record Docket No. 47, which is headed “Defendant’s Response to Plaintiff’s Motions for Sanctions Against Defendant and Counsel Pursuant to 28 U.S.C. §1927.” The second Motion seeks to strike from the record Docket No. 53, which is headed “Defendant’s Reply to Plaintiff’s Response to Defendant’s Motion to Compel Production of Previously Requested Medical Discovery and to Extend Deadlines for Defendant’s Discovery of Plaintiff’s Medical Records.”

Motions to Strike are governed by Fed. R. Civ. P. 12(f), which states:

The court may strike *from a pleading* an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. The court may act:

- (1) on its own; or
- (2) on motion made by a party either before responding to the pleading or, if a response is not allowed, within 20 days after being served with the

pleading.

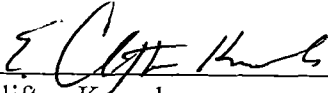
Fed. R. Civ. P. 12(f) (emphasis added).

Motions to Strike are applicable only to pleadings. *See Fox v. Michigan State Police Dept.*, 2006 U.S. App. LEXIS 5019 (6th Cir.) at **5-6; *Wimberly v. Clark Controller Co.*, 364 F.2d 225, 227 (6th Cir. 1966). *See also Lombard v. MCI Telecommunications Corp.*, 13 F. Supp. 2d 621, 625 (N.D. Ohio 1998); *Hrubec v. National R.R. Passenger Corp.*, 829 F. Supp. 1502, 1506 (N.D. Ill. 1993).

The documents Plaintiff seeks to strike are Motions, not pleadings. Therefore, they cannot be stricken. The Court will, however, consider the points raised in the instant Motions if and as may be appropriate.

For the foregoing reasons, the instant Motions (Docket Nos. 48, 54) are DENIED.

IT IS SO ORDERED.



E. Clifton Knowles
United States Magistrate Judge